



U.S. Department of Justice

*United States Attorney
District of Maryland
Northern Division*

Michael Aubin
Assistant United States Attorney
Michael.Aubin@usdoj.gov

Mailing Address:
36 S. Charles Street, 4th Floor
Baltimore, MD 21201

Office Location:
36 S. Charles Street, 4th Floor
Baltimore, MD 21201

MAIN: 410-209-4800
FAX: 410-962-0716

March 19, 2025

The Honorable James K. Bredar
Senior United States District Judge
District of Maryland
101 W. Lombard St.
Baltimore, Maryland 21201

Re: *United States v. Brandon Clint Russell*
Criminal No. JKB-23-056

Dear Judge Bredar:

I write to inform the Court regarding recent information provided to government counsel by the Federal Bureau of Investigation (FBI) related to “Christopher Jackson,” (“the witness”) a compensated confidential human source who testified in the above-captioned case.

Government counsel learned on March 7, 2025, that the FBI made a payment to the witness prior to trial, of which the government was previously unaware, and so did not previously disclose to the defense. Since that time, counsel has been gathering information concerning the payment. The government advised the defense of the payment on March 14, 2025, and provided the defense additional information on March 17, 2025.

By way of background, prior to the original trial date of July 8, 2024, government counsel requested details related to the payments for all confidential human sources involved with this case, and provided that information to the defense. *See* Ex. 1. The trial was subsequently continued to November 12, 2024. *See* ECF 122. Before the November trial date, previous government counsel retired, additional new government counsel entered the case, and a continuance was granted moving the trial date to January 27, 2025. *See* ECF 191.

Prior to the commencement of the January trial, government counsel requested and received documentation detailing the updated payment history for the witness. *See* Ex. 2. Upon obtaining that information, undersigned counsel provided an updated notice to the defense dated January 21, 2025. *See* Ex. 3. This notice reflected payments in excess of \$72,000. The foregoing constitutes government counsel’s understanding of payments to the witness as of the time of trial.

Undersigned counsel learned the following information from the FBI during and after a March 7, 2025 telephone call with the FBI agent handling the witness, regarding an unrelated matter.

On January 22, 2025, a request was made internally within the FBI to pay the witness funds for a service payment and expenses incurred as a result of the witness' travel in preparation for trial in the instant case. That request, which included \$5,000 for services and \$2,180.11 for expenses, was approved a short time thereafter. The FBI then paid the witness \$7,180.11 in the evening of January 27, 2025, after the conclusion of the first day of jury selection. The witness testified on January 29, 2025.

Furthermore, during the March 7, 2025 call, the handling agent notified undersigned counsel that an additional request had been made that day to provide the witness financial compensation for services related to several investigations in which he had contributed, including his work in the instant case. The payments were for services performed by the witness between December 2023 and January 2025, for which the witness had not previously been compensated. *See Ex. 2.*

According to the FBI, the witness has been aware that he might receive an additional payment for his cumulative work on various investigations. However, the witness was unaware of the amount of money, if any, he was likely to receive and is currently unaware that funds have been requested to make a payment to him. The request itself was made by the handling agent earlier in the day of March 7, 2025, the same day of the conversation between undersigned and the FBI. This request is still pending FBI supervisory approval. Additionally, according to the FBI, and as detailed in the relevant FBI policy, no payment was ever expressly or impliedly conditioned on the conviction or punishment of the defendant.

Government counsel, in consultation with members of the U.S. Attorney's Office supervisory team and professional responsibility officers, subsequently requested information from the FBI related to payments, including the dates of the requests, payment schedules, and whether the payments were for services rendered or expense reimbursement. The FBI provided information relevant to the inquiry on March 13 and 14, 2025, including an updated accounting of payments made to the witness. *See Ex. 4.* This information was thereafter provided to counsel for the defendant on March 17, 2025.

On March 18, 2025, government counsel received a copy of the transcript of testimony of the witness and the defense closing. Portions that reference payments made to the witness have been excerpted and provided here as Ex. 5.

The government continues to seek additional information. However, given the nature of the information known at present, government counsel has informed counsel for the defendant of these developments, and hereby informs the Court as well.

Respectfully Submitted,

Kelly O. Hayes
United States Attorney

A handwritten signature in blue ink, appearing to read "Michael Aubin", is positioned above a horizontal line.

Michael F. Aubin
Joseph R. Baldwin
Assistant United States Attorneys

cc: Ian Goldstein, Esq.